

COMMISSION DIRECTIVE

ADMINISTRATIVE MATTER

☐

DATE

July 16, 2008

MOTOR CARRIER MATTER

☐

DOCKET NO.

2008-273-C

UTILITIES MATTER

☒

ORDER NO.

SUBJECT:

DOCKET NO. 2008-273-C - FLATEL, Incorporated, Complainant/Petitioner v. Verizon South, Incorporated, Defendant/Respondent - Discuss this Matter with the Commission.

COMMISSION ACTION:

This complaint is essentially the same dispute brought to the Commission by FLATEL in September 2007, which was accepted for filing as Docket No. 2007-326-C.

- In the 2007 docket, Verizon moved to dismiss. We appointed a hearing officer, who held Verizon's motion to dismiss in abeyance and allowed FLATEL ample time to retain South Carolina counsel to respond to Verizon's motion. FLATEL neither retained an attorney nor filed any response to Verizon's motion to dismiss. Having received no filing opposing Verizon's motion to dismiss for 50 days after the issuance of the Hearing Officer Directive in the matter, the Commission granted Verizon's motion to dismiss on March 12, 2008.
- Now, FLATEL has again filed virtually the same complaint which it failed to prosecute in 2007, and it again has failed to retain counsel.
- The South Carolina Supreme Court requires corporate entities to be represented by lawyers licensed to practice in South Carolina in legal proceedings before this Commission
- Move to dismiss FLATEL's complaint at this time, without prejudice. If FLATEL wishes to seek relief before the Commission, its filings must be prepared and filed by an attorney authorized to appear before us.

PRESIDING: FlemingSESSION: RegularTIME: 2:30 p.m.

	MOTION	YES	NO	OTHER
CLYBURN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
FLEMING	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HOWARD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Absent</u> Annual Leave
MITCHELL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
WHITFIELD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
WRIGHT	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

RECORDED BY: J. Schmieding